

**SEPTEMBER 4, 2012
PARMA CITY HALL COUNCIL CHAMBER
REGULAR COUNCIL MEETING
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Sean P. Brennan presiding:

COUNCIL MEMBERS PRESENT:

BRIAN BROCHETTI
MARK CASSELBERRY
BRIAN DAY
ALLAN DIVIS
MARY GALINAS
DEBORAH LIME
LARRY NAPOLI
SCOTT M. TUMA

COUNCIL MEMBERS ABSENT:

ROY J. JECH

Mr. Ramser – Mr. President, the Roll of Council has been called, and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Timothy DeGeeter, Law Director Timothy G. Dobeck, Auditor Dennis M. Kish, Treasurer Thomas Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Senior Citizen Director Jo Ann Mason, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Director of Public Housing Lev Kulchytsky, and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given this evening by Clerk of Council Kenneth A. Ramser.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 158-12 9/4/12 L-158-12

BY: **M. CASSELBERRY**, B. BROCHETTI, B. DAY, A. DIVIS, M. GALINAS, R. J. JECH, D. LIME,
L. NAPOLI, S. M. TUMA

A RESOLUTION HONORING RICK DVORAK
2012 COACH OF THE YEAR
YOUTH SOFTBALL/BASEBALL

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 158-12. Motion carried.

Mr. Brennan – Asked Coach Rick Dvorak to come forward and that the Clerk of Council read the Resolution in its entirety.

Councilman Casselberry – Presented the Resolution to Coach Dvorak.

Mayor DeGeeter – Presented a Proclamation to Coach Dvorak along with certificates from the Law Director and Treasurer.

Coach Dvorak – Thanked everyone.

LEGISLATIVE COMMENT

Mr. Brennan – Asked if anyone from the public would like to comment on any legislation that Council will be taking final action on tonight. No one wished to comment.

ORDINANCES AND RESOLUTIONS

Motion made by Councilman Day, seconded by Councilwoman Galinas, to amend the Calendar as follows: Move Ordinance No. 147-12 under Second Reading Suspension to Second Reading and place it immediate after Ordinance No. 103-12. Also, please remove Ordinance No. 130-12 under Third Reading from the Calendar. Motion carried.

DISPOSAL OF THE JOURNAL

Mr. Brennan – Stated we have the Minutes from the August 6, 2012, Regular Council Meeting and also the Minutes from the August 6, 2012, Special Council Meeting. Asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Mr. Ramser – Stated, we have a request for a Proposal to Vary for the applicant Mr. Kevin Morand, Morand Architects, Inc., 24551 Detroit Road, #2, Westlake, Ohio 44145, for property at 1611 Brookpark Road, PPN 445-05-006, 007, and 008. Mr. Morand has requested an "Area" Variance of Section 1199.06(a)(b)(c) – SCREENING AND BUFFERING – LANDSCAPED BUFFER AREAS FOR REAR AND SIDE YARDS. The proposal is for an addition to an existing commercial building and the building of a new commercial building. A 12' wide landscape buffer is required for side and rear setback abutting a Residential District. The request is for 0-3' landscape buffer for side and rear setback abutting Residential District. The variance would result in allowing 0' wide landscape buffer for side and rear setback abutting Residential District.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to refer said variance to the Planning Committee. Motion carried.

Mr. Ramser – Stated, we have a request for a Proposal to Vary for the applicant Mr. Kevin Morand, Morand Architects, Inc., 24551 Detroit Road, #2, Westlake, Ohio 44145, for property at 1611 Brookpark Road, PPN 445-05-006, 007, and 008. Mr. Morand has requested an "Area" variance of Section 1170.06 – COMMERCIAL OFFICE DISTRICTS – LOT AREA, WIDTH AND COVERAGE REGULATIONS. The proposal is for an addition to an existing commercial building and the building of a new commercial building. Maximum lot coverage permitted by Code is 30%. The request is for lot coverage is 44%. This variance would result in allowing 14% more lot coverage than permitted by Code. There is a stipulation that there is a 2' setback with a fence and the applicant agree to the stipulation.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to refer said variance to the Planning Committee. Motion carried.

Mr. Ramser – Stated, we have a request for a Proposal to Vary for the applicant Mr. Kevin Morand, Morand Architects, Inc., 24551 Detroit Road, #2, Westlake, Ohio 44145, for property at 1611 Brookpark Road, PPN 445-006, 007, and 008. Mr. Morand has requested an "Area" variance of Section 1170.08 – COMMERCIAL OFFICE DISTRICTS – SCHEDULE OF YARD AND HEIGHT REGULATIONS. The proposal is for an addition to an existing commercial building and the building of a new commercial building. A 12' side and rear building setback is required from adjacent residential property. The request is for an 8' setback for side and rear building setback from Residential District. This variance would result in a 12' less side and rear setback from an abutting adjacent Residential District.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to refer said variance to the Planning Committee. Motion carried.

COMMUNICATIONS, PETITIONS & CLAIMS CONTINUED:

Mr. Ramser – Stated, we have a request for a Proposal to Vary for the applicant Mr. Kevin Morand, Morand Architects, Inc., 24551 Detroit Road, #2, Westlake, Ohio 44145, for property at 1611 Brookpark Road, PPN 445-05-006. 007, and 008. Mr. Morand has requested an "Area" variance of Section 1197.05(33) – OFF STREET PARKING AND LOADING FACILITIES – SCHEDULE OF REQUIRED PARKING – AUTO BUSINESS – SALES AND SERVICE. The proposal is for an addition to an existing commercial building and the building of a new commercial building. Parking must be provided at a rate of 4 spaces per bay, plus 1 space per employee for a total of 35 spaces. The request is for a total of 23 spaces. This variance would result in 12 less parking spaces than Code requires.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to refer said variance to the Planning Committee. Motion carried.

Mr. Ramser – Stated, we have a request for a Proposal to Vary for the applicant Mr. Philip Londrico, The Majestic Group, 7565 Granger Road, Suite A, Valley View, Ohio 44125 for property at 1339 Rockside Road, Suite B, PPN 445-17-306. Mr. Londrico has requested an "Use" variance of Section 1177.03 – PLANNING AND ZONING CODE – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to have a tenant open a beauty salon. Building and land shall be used, and building shall be designed, erected, altered, moved or maintained in whole or in part only for uses set forth in schedules and regulations. The request is to run a beauty salon in an Office Building District, which prohibits use for other than retail business, shopping center, or Commercial Manufacturing. This variance would allow a beauty salon in an Office building District.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to refer said variance to the Planning Committee. Motion carried.

FIRST READING:

ORDINANCE NO. 161-12 9/4/12 L-161-12

BY: **M. CASSELBERRY**

(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH
THE LOWEST AND BEST BIDDER FOR THE PROVISION
OF TELEPHONE BASED MEDICAL ALERT MONITORING
OF SENIOR CITIZENS UNDER THE 2012-2013 "SENIOR
SAFE AT HOME" PROGRAM, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Finance committee.

ORDINANCE NO. 162-12 9/4/12 L-162-12

BY: **B. DAY**

(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND
THE DIRECTOR OF PUBLIC SAFETY TO ENTER
INTO A CONTRACT WITH THE LOWEST AND BEST
BIDDER FOR THE PURCHASE OF POWER COTS FOR
THE FIRE DEPARTMENT, AND DECLARING AN
EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

RESOLUTION NO. 165-12 9/4/12 L-165-12

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR, AND
DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Finance Committee.

ORDINANCE NO. 167-12 9/4/12 L-167-12

BY: **M. GALINAS**

(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO A DEVELOPMENT AGREEMENT WITH OSG STERLING
DIE, INC., LOCATED AT 12502 PLAZA DRIVE IN THE
CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 168-12 9/4/12 L-168-12

BY: **B. DAY**

(By Request – Mayor)

AN ORDINANCE TO EXTEND THE MORATORIUM FOR AN
ADDITIONAL ONE HUNDRED EIGHTY (180) DAYS ON THE
GRANTING OF ANY PERMITS ALLOWING THE
OPERATION OF INTERNET CAFES OR OF BUSINESSES
DEVOTING FLOOR SPACE TO INTERNET-BASED
SWEEPSTAKES GAMES WITHIN THE CITY OF PARMA,
AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Public Safety Committee.

ORDINANCE NO. 172-12 9/4/12 L-172-12

BY: **B. DAY**

(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR
AND THE DIRECTOR OF PUBLIC SAFETY TO
ENTER INTO A CONTRACT WITH THE LOWEST
AND BEST BIDDER FOR THE PURCHASE OF
WEAPONS FOR THE POLICE DEPARTMENT,
AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

ORDINANCE NO. 173-12

9/4/12

L-173-12

BY: **R. J. JECH**

(By Request – Building Commissioner)

AN ORDINANCE TO AUTHORIZE THE CITY BUILDING COMMISSIONER TO SPONSOR A TRAINEE PROGRAM FOR BUILDING DEPARTMENT PERSONNEL WHO WANT TO OBTAIN AN ADDITIONAL CERTIFICATION FROM THE OHIO BOARD OF BUILDING STANDARDS, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Public Safety Committee.

SECOND READING:

ORDINANCE NO. 103-12

8/6/12

L-103-12

BY: **S. M. TUMA**

AN ORDINANCE TO CONVEY PERMANENT PARCEL NOS. 450-02-005 AND 450-02-006, LOCATED ON WEST RIDGEWOOD DRIVE, WITH DEED RESTRICTIONS, TO THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Day, to refer Ordinance No. 103-12 back to the Public Service Committee. Motion carried.

ORDINANCE NO. 147-12

8/6/12

L-147-12

BY: **B. DAY**

(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SAFETY JACKETS FOR THE CITY OF PARMA FIREFIGHTERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 147-12 back to the Finance Committee. Motion carried.

ORDINANCE NO. 152-12

8/6/12

L-152-12

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE GIANT EAGLE WATER MAIN REPLACEMENT AT DAY DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

SECOND READING CONTINUED:

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 152-12 back to the Finance Committee. Motion carried.

ORDINANCE NO. 154-12 8/6/12 L-154-12

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR
OF PUBLIC SERVICE TO ENTER INTO A CONTRACT
WITH THE LOWEST AND BEST BIDDER FOR THE
PURCHASE OF MOTOR OIL AND LUBRICANTS, AND
DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 154-12 back to the Finance Committee. Motion carried.

THIRD READING:

RESOLUTION NO. 93-12 5/7/12 L-93-12

BY: **L. NAPOLI**

(By Request – City Engineer)

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE
SPRAGUE ROAD AND A PORTION OF HOERTZ ROAD IN
THE CITY OF PARMA, OHIO, BY PROVIDING THE
INSTALLATION OF SANITARY SEWERS, AND DECLARING
AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Resolution No. 93-12 by accepting the attached Exhibit "A". Also moved to waive Rule 52 and place Resolution No. 93-12 as amended for Third Reading for passage. Motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 93-12 as amended.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 93-12 is adopted as amended.

RESOLUTION NO. 120-12 6/18/12 L-120-12

BY: **D. LIME, L. NAPOLI, S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS**

(By Request – Auditor)

A RESOLUTION IN SUPPORT OF S. B. 343, THE OHIO
PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS)
PENSION REFORM, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 120-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 120-12 is adopted.

THIRD READING CONTINUED:

ORDINANCE NO. 131-12

7/2/12

L-131-12

BY: **D. LIME**

(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2012 STREETScape IMPROVEMENT PROJECT AND FOR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF ALL DESIGNATED BLIGHTED SECTIONS OF COMMERCIAL CURB, PUBLIC SIDEWALK, CATCH BASIN AND TREE LAWN, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 131-12 as follows: In Section 1., Line 2., after the word "with" add the words "Konstruction King", and on Line 4., after the word "exceed" add "\$62,444.30". Also moved to waive Rule 52 and place Ordinance No. 131-12 as amended on Third Reading for passage." Motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 131-12 as amended.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 131-12 is adopted as amended.

ORDINANCE NO. 132-12

7/2/12

L-132-12

BY: **D. LIME**

(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2012 SIDEWALK, CURB AND CATCH BASIN PROJECT AND FOR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF ALL DESIGNATED BLIGHTED SECTIONS OF RESIDENTIAL PUBLIC SIDEWALK, CURB, AND CATCH BASIN, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Day, to amend Ordinance No. 132-12 as follows: In Section 1., Line 2., after the word "with" add the words "F. P. Allega", and on Line 4., after the word "exceed" add "\$108,213.08". Also moved to waive Rule 52 and place Ordinance No. 132-12 as amended on Third Reading for passage." Motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 132-12 as amended.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 132-12 is adopted as amended.

SUSPENSION OF THE RULES:

ORDINANCE NO. 156-12 9/4/12 L-156-12
BY: **S. M. TUMA**, D. LIME, M. GALINAS, A. DIVIS, L. NAPOLI, B. BROCHETTI, B. DAY,
M. CASSELBERRY
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIRST
AMENDMENT TO LICENSE AGREEMENT AND A
MEMORANDUM OF AGREEMENT WITH NEW CINGULAR
WIRELESS PCS, LLC, TO LEASE CERTAIN PREMISES
LOCATED AT 3000 WEST PLEASANT VALLEY ROAD AND
6655 RIDGE ROAD IN THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct
reading of Ordinance No. 156-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and
Ordinance No. 156-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt
Ordinance No. 156-12.

Councilwoman Lime – Stated the original contract was passed on July 30, 1997 with
AT&T. There is a fee that they pay to the city. Asked if the extension of this contract still has
those same fees, or has there been any increase.

Law Director Dobeck – Stated, there is a fee of \$15.50 per month. It did go up.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Ordinance No. 156-12 is adopted.

RESOLUTION NO. 157-12 9/4/12 L-157-12
BY: **L. NAPOLI**, D. LIME

A RESOLUTION TO ADOPT THE SOLID WASTE
MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY
SOLID WASTE MANAGEMENT DISTRICT, AND
DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct
reading of Resolution No. 157-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and
Resolution No. 157-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt
Ordinance No. 156-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 157-12 is adopted.

SUSPENSION OF THE RULES CONTINUED:

RESOLUTION NO. 159-12 9/4/12 L-159-12
BY: **B. DAY**, S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS, D. LIME,
L. NAPOLI
(By Request – Safety Director)

A RESOLUTION APPROVING THE ADOPTION OF THE
OFFICE OF EMERGENCY MANAGEMENT FOR CUYAHOGA
COUNTY, 2012, AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 159-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 159-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 159-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 159-12 is adopted.

RESOLUTION NO. 160-12 9/4/12 L-160-12
BY: **M. CASSELBERRY**, L. NAPOLI, S. M. TUMA, B. BROCHETTI, B. DAY, A. DIVIS,
M. GALINAS, D. LIME

A RESOLUTION PROCLAIMING THURSDAY,
SEPTEMBER 20TH AS "FATHERS WALK DAY",
AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 160-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 160-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 160-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 160-12 is adopted.

RESOLUTION NO. 163-12 9/4/12 L-163-12
BY: **S. M. TUMA**
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S
POST CERTIFICATION OF REQUISITIONS AS DETAILED
IN EXHIBIT "A", AND DECLARING AN EMERGENCY

SUSPENSION OF THE RULES CONTINUED:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 163-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 163-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Councilman Tuma – Asked for an explanation of the alcohol monitoring system.

Law Director Dobeck – Stated, this is the guardian lock system for someone starting their car who has had multiple DUIs.

Motion made by Councilwoman Galinas, seconded by Councilman Day, to amend Exhibit "A" by changing the Police Line item 62011, \$1738.34, August 20-21 date to August 20-12.

Motion carried.

Councilwoman Lime – Asked how Account No. 166 is funded.

Auditor Kish – Stated, these are fees collected as part of the court cost.

Councilwoman Lime – Asked about various other fees. Are we recouping some of the costs.

Law Director Dobeck – Stated, he would get the information for her.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 163-12 as amended.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 163-12 is adopted as amended.

ORDINANCE NO. 164-12

9/4/12

L-164-12

BY: **S. M. TUMA**

(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF
APPROPRIATIONS WITHIN THE 2012 PERMANENT
APPROPRIATIONS OF THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 164-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 164-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 164-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Ordinance No. 164-12 is adopted.

SUSPENSION OF THE RULES CONTINUED:

RESOLUTION NO. 166-12

9/4/12

L-166-12

BY: **S. M. TUMA**, D. LIME
(By Request – City Engineer)

A RESOLUTION DECLARING THE NECESSITY AND
INTENT OF THE CITY OF PARMA TO APPROPRIATE
A SANITARY SEWER EASEMENT IN CERTAIN REAL
PROPERTY KNOWN AS PERMENT PARCEL NUMBER
448-23-001, LOCATED ON WEST RIDGEWOOD DRIVE, IN
THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 166-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 166-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 166-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 166-12 is adopted.

RESOLUTION NO. 169-12

9/4/12

L-169-12

BY: **B. BROCHETTI**, L. NAPOLI, S. M. TUMA, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS,
D. LIME
(By Request – City Engineer)

A RESOLUTION AUTHORIZING THE SUBMITTAL OF
APPLICATIONS TO THE OHIO PUBLIC WORKS
COMMISSION FOR LOCAL DEBT SUPPORT; THE RIDGE
ROAD SANITARY AND WATER MAIN IMPROVEMENTS;
AND THE PLEASANT VALLEY ROAD – BAGLEY ROAD
IMPROVEMENT PROJECT, AND DECLARING AN
EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 169-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 169-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 169-12.

City Engineer Deichmann – Stated, we apply for this every year. This is an attempt to gain additional grant money to ease the burden of assessments on the residents.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 169-12 is adopted.

SUSPENSION OF THE RULES CONTINUED:

RESOLUTION NO. 170-12 9/4/12 L-170-12
BY: **S. M. TUMA**, L. NAPOLI, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS,
D. LIME
(By Request – Mayor)

A RESOLUTION SUPPORTING THE PARTICIPATION OF
THE CITY OF PARMA IN A SHARED SERVICES/NETWORK
READINESS ASSESSMENT FOR A LOCAL GOVERNMENT
INNOVATION FUND GRANT APPLICATION, FOR SECOND
ATTEMPT OF FUNDING, SUBMITTED BY STARK COUNTY,
AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct
reading of Resolution No. 170-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and
Resolution No. 170-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt
Resolution No. 170-12.

Councilwoman Lime – Asked what is meant by second attempt.

Mayor DeGeeter – Stated, second application.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Resolution No. 170-12 is adopted.

ORDINANCE NO 174-12 9/4/12 L-174-12
BY: **S. M. TUMA**, M. GALINAS
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2012 PERMANENT
APPROPRIATIONS OF THE CITY OF PARMA, OHIO,
AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct
reading of Ordinance No. 174-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and
Ordinance No. 174-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt
Ordinance No. 174-12.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Ordinance No. 174-12 is adopted.

SUSPENSION OF THE RULES CONTINUED:

ORDINANCE NO. 175-12 9/4/12 L-175-12
BY: **L. NAPOLI**, S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS,
D. LIME
(By Request – City Engineer)

AN ORDINANCE ACCEPTING GRANT OF EASEMENT BY
WEST CREEK PRESERVATION COMMITTEE FOR
PROPERTY LOCATED ON DENTZLER ROAD AND PART
OF THE WEST CREEK RESERVATION, AND DECLARING
AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct
reading of Ordinance No. 175-12 on three different days be dispensed with?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and
Ordinance No. 175-12 be placed on final passage?

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; motion carried.

Mr. Eric Schafer – This is part of the addition to West Creek Reservation. It is a 1.557
acre property. This will be open in late Fall.

Councilman Napoli – Thanked the people from West Creek Reservation for this gift.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to amend
Ordinance No. 175-12 as follows: In Section 2., the Fund Number is 285-285-Land Acquisition,
and the Account Number is 68059-17512. Motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt
Ordinance No. 175-12 as amended.

Yes: Napoli, Tuma, Brochetti, Casselberry, Day, Divis, Galinas, Lime.

No: None; Ordinance No. 175-12 is adopted as amended.

APPOINTMENTS AND CONFIRMATIONS

Councilman Casselberry – Stated, the Appointment Scanning Committee met this evening
to consider the following appointment: Appointment of Debra J. Kraft to the Board of Zoning
Appeals. This will be a new appointment for a five-year term ending on September 4, 2017.

Motion made by Councilman Casselberry, seconded by Councilwoman Galinas, to confirm
the appointment of Debra J. Kraft as recommended by the Appointment Scanning Committee.
Motion carried.

Councilman Casselberry – Stated, the Appointment Scanning Committee met this evening
to consider the following appointment: Reappointment of Mr. George Ziefle to the Board of
Zoning Appeals. Mr. Ziefle's term will expire on September 21, 2012. His new appointment will
be for a five-year term ending on September 21, 2017.

Motion made by Councilman Casselberry, seconded by Councilwoman Galinas, to confirm
the appointment of Mr. George Ziefle as recommended by the Appointment Scanning Committee.
Motion carried.

PUBLIC SESSION

No one wished to speak this evening.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Thanked our Safety forces and Service Department for their efforts tonight in rescuing the 12 year old boy who survived falling into a drain.

Service Director Baeppler – No comment.

Auditor Kish – No comment.

Law Director Dobeck – No comment.

Treasurer Mastroianni – No comment.

Councilman Napoli – Stated, Firestone Service Center does very good service and is on the ball. They were very helpful to him.

Councilman Tuma – Commended our Safety forces, the Safety Director, the Service Department and the Service Director for the rescue this evening. Stated there are some very great looking homes in the City of Parma for people who are looking to buy in Parma. Wished Marie Tedeschi and speedy recovery.

Councilman Brochetti – Commended the Safety forces and the Service Department for their rescue efforts this evening. Stated, German Central is hosting its annual Oktoberfest on September 14 and 15, 2012.

Councilman Casselberry – Echoing everyone's sentiments about the Safety forces and our Service Department. Stated, this speaks volumes for our services here in Parma.

Councilman Day – Congratulated the City and the Law Department regarding the property next to Stearns Farm. We took a firm stand on that and it was the right stand.

Law Director Dobeck – Stated, that is a big step and we are happy to have won that portion of the case. There were two cases filed, so we still have one case pending.

Safety Director – No comment.

Councilman Divis – Echoed the sentiments again to our Law Department. One down, and one to go. Good news about the rescue tonight. Congratulated the Service Department.

Councilwoman Galinas – Kudos to the Law Department. That was good news. Congratulated the Service and Safety Departments. Wished a speedy recovery to Marie Tedeschi, Councilman Divis's father, Councilman Jech's son, and also to Councilwoman Lime who recently had knee replacement surgery.

Councilwoman Lime – Congratulated, the Service and Safety Departments, and Fire Department. They are local heroes for what they were able to accomplish. Stated, the Fire Safety House will be saved in the house that it is. Asked the Mayor for a new vacant home list.

Mr. Brennan – Stated, we will probably have a group Citizen of the Month Award for everyone who helped in the rescue this evening.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Napoli, seconded by Councilman Day, to excuse Councilman Roy J. Jech. Motion carried.

ADJOURNMENT

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adjourn said regular Council Meeting. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes from the regular Council Meeting held on Tuesday, September 4, 2012.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Meeting adjourned at 8:15 p.m.

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Minutes completed September 10, 2012.